UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1998/11/Add.1
24 September 1997

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-fourth session
Item 23 of the provisional agenda

INDIGENOUS ISSUES

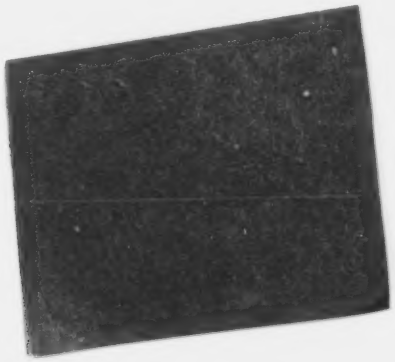
Report of the second workshop on a permanent forum for indigenous people within the United Nations system held in accordance with Commission on Human Rights resolution 1997/30

(Santiago, 30 June - 2 July 1997)

Addendum

CONTENTS

		Page
I.	OUTLINE OF A PERMANENT FORUM FOR INDIGENOUS PEOPLE. WORKING PAPER PRESENTED BY THE GOVERNMENT OF DENMARK	2
II.	A CONCISE INDIGENOUS PERSPECTIVE SUBMITTED BY THE GRAND COUNCIL OF THE CREES	4
III.	STATEMENT SUBMITTED BY THE SAAMI COUNCIL	7
IV.	DECLARATION OF THE FIRST INTERNATIONAL INDIGENOUS CONFERENCE ON A PERMANENT FORUM IN THE UNITED NATIONS SYSTEM, TEMUCO, CHILE, 6-9 MAY 1997	14



GE.97-14059 (E)

Annexes

I. OUTLINE OF A PERMANENT FORUM FOR INDIGENOUS PEOPLE WORKING PAPER PRESENTED BY THE GOVERNMENT OF DENMARK

Name: The Permanent Forum on Indigenous Peoples' Affairs

(Commentary: It goes without saying that the organ could have many different names. However the term "forum" has been used whenever discussed since the recommendation on the proclamation of an international decade of the world's indigenous people, made at the World Conference on Human Rights in Vienna in 1993. The Vienna Declaration and Programme of Action states that "the establishment of a permanent forum for indigenous people in the United Nations system should be considered". The term is well known both by Governments and by indigenous representatives and therefore seems appropriate.)

Mandate: All issues affecting indigenous peoples; coordination within the United Nations system of activities related to indigenous peoples; guidance and advice to States, specialized agencies and other relevant parties; dissemination of information on the conditions and needs of indigenous peoples; promotion of understanding among peoples with a view to facilitating peaceful solutions to disputes; formulation of recommendations on any issue affecting indigenous peoples.

(Commentary: The forum should be able to take up all issues affecting indigenous peoples. It is important to ensure that a permanent forum has a broad mandate and that the full range of activities of the forum is not limited to social and economic questions in the narrow sense, but to the full range of activities within ECOSOC.)

Placement within the United Nations system: Subsidiary organ of the Economic and Social Council (ECOSOC)

(Commentary: In the review presented by the Secretary-General at the fifty-first session of the General Assembly on existing mechanisms, procedures and programmes within the United Nations concerning indigenous peoples, it is stated that there are virtually no mechanisms within the United Nations organizations which give the nominated representatives of indigenous organizations or peoples an opportunity to provide expert advice or take part in decision-making. ECOSOC is the principal organ for supervising the economic and social activities of the United Nations system concerning human rights, the environment, development, health, cultural issues and other areas. As the indigenous peoples' situation covers human rights as well as social, economic, cultural and environmental affairs, it seems appropriate to place this organ directly under ECOSOC).

Location: United Nations Headquarters in New York.

(Commentary: It is important that the forum physically is placed near the ECOSOC secretariat, which is situated in New York. This location will facilitate communication and participation in United Nations matters affecting indigenous peoples.)

Membership: Fifteen members appointed by ECOSOC consisting of five government representatives (one from each regional group), five representatives of indigenous peoples (one from each of the regions: Circumpolar, North America, South America, Africa, Asian-Pacific), three representatives from the specialized agencies and two individual experts on indigenous affairs.

Other States, other United Nations bodies, intergovernmental organizations, non-governmental organizations recognized by ECOSOC and recognized indigenous organizations may attend meetings of the permanent forum as observers.

(Commentary: Members should be appointed by ECOSOC on the basis of consensus. Governments and indigenous peoples' representatives should be nominated by their respective regional group:, specialized agencies and individual experts should be nominated by the Secretary-General. Time-consuming election campaigns should be avoided. The number of 15 members seems appropriate).

Period of membership: Three years with the possibility of reappointment for an additional term.

(Commentary: Three years would seem to strike a reasonable balance between the need for continuity and the need for rotation.)

Procedure: A session of at least one week twice a year, reporting to ECOSOC.

The permanent forum shall adopt its own rules of procedure including the method of selecting its officers.

As a general rule decisions and recommendations on substantive matters, as opposed to procedural matters, shall be made by consensus.

(Commentary: The issues of the forum are clearly related to ECOSOC, therefore the forum should report to ECOSOC. The composition of the forum lends itself to a consensus-building procedure.)

Finance: United Nations regular budget.

(Commentary: To secure a financial basis.)

II. A CONCISE INDIGENOUS PERSPECTIVE SUBMITTED BY THE GRAND COUNCIL OF THE CREES

1. The idea for the establishment of a permanent forum at the United Nations for indigenous peoples received its formal statement in the Vienna Declaration and Programme of Action of the World Conference on Human Rights which called for consideration of the "establishment of a permanent forum for indigenous people in the United Nations system" within the framework of the International Decade of the World's Indigenous People.

2. The recognition of the need for a permanent forum was the culmination of observations by indigenous leaders and organizations as well as United Nations officials and international experts who recognized that the world's indigenous peoples did not have adequate or appropriate access to the United Nations system.

3. In particular it was noted that at present the United Nations is concerned exclusively with discrimination against indigenous peoples, and that the only forum specifically mandated to carry out this work is the Working Group on Indigenous Populations (WGIP) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

4. The WGIP, made up of five experts, is not mandated to hear grievances or complaints and is limited exclusively to considerations within specified fields of the sphere of human rights.

5. The Commission on Human Rights has recently added an item to its agenda entitled "Indigenous issues". The International Labour Organization has approved Convention No. 169 on Indigenous and Tribal Peoples in Independent Countries. And we are now in the third year of the International Decade.

6. While these and other developments attest to the growing recognition of the importance of indigenous issues within the United Nations system, they are, in the light of intensified demand, wholly insufficient to serve the needs of the world's indigenous peoples.

7. The Copenhagen workshop on a permanent forum for indigenous people (June 1995) recommended that the United Nations undertake a review of existing mechanisms, procedures and programmes within the United Nations concerning indigenous peoples. This recommendation was taken up by the General Assembly in its resolution 50/157 of 21 December 1995 in which the Assembly recommended that the Secretary-General undertake such a review.

8. It was the expressed view of the Grand Council of the Crees at Copenhagen and elsewhere that such a review would demonstrate that the United Nations does not serve the needs or interests of the world's indigenous peoples, and that the creation of a permanent forum for indigenous peoples at the United Nations would be the ideal mechanism to address this conspicuous failing.

9. The Secretary-General's review is now complete and is available to this meeting. It demonstrates:

(a) The very limited scope of United Nations activity with regard to indigenous peoples;

(b) The serious exclusion of the consideration of indigenous peoples' interests and considerations from, inter alia, economic development banking, international aid, peacekeeping, trade, intellectual and cultural property, policing, international law, intergovernmental agreements and treaties, and scientific research and exploration;

(c) The failure of the States Members of the United Nations and the administration of the United Nations system to assure indigenous representation as diplomatic representatives, as members of appointed commissions, committees, tribunals and other bodies, and as United Nations staff at all levels;

(d) The real inadequacy of the United Nations in addressing practically and effectively well-documented violations of the human rights of indigenous peoples which take the form of abuses against, inter alia, their right to life, land rights, treaty rights, right to self-determination, right to benefit from natural resources, right to subsistence, right to environmental protection and the right to development;

(e) The inadequacy of the United Nations in carrying out its own largely ceremonial programmes in regard to indigenous peoples such as the International Year and the International Decade, the commitment to consult with indigenous peoples on issues of mutual concern, and to include indigenous issues, where relevant, in the agenda of United Nations meetings.

10. The Secretary-General's report demonstrates to what extent it was necessary to search in order to find examples of progress and activity on indigenous issues, and just how limited and tenuous this field is within the work of the United Nations system.

11. A permanent forum within the United Nations system should be functionally conceived to address the multitude of issues brought forward by the WGIP, the various United Nations seminars on indigenous issues, and the international conferences on human rights, the environment, social and cultural rights, housing, women's and children's rights, and food security.

12. The forum should allow for direct representation of indigenous peoples, nations and communities, and should provide an "interface" between communities, States and United Nations agencies.

13. The forum should provide formal mechanisms for the lodging of grievances and complaints and have the mandate to bring urgent matters to the immediate attention of the relevant United Nations bodies.

14. The forum should also be able to act in an advisory capacity to the Secretary-General and relevant bodies and agencies within the United Nations system on matters where the expertise of indigenous peoples will contribute to the objectives of the United Nations in keeping with the Charter.

15. The preferred option of the Grand Council of the Crees is that the permanent forum for indigenous peoples be established at the Council level of the United Nations, perhaps in place of the now largely redundant Trusteeship Council, as suggested by Mr. Noel Brown.

16. The Grand Council of the Crees would also endorse the recommendation of the Aboriginal and Torres Strait Islander Commission to establish the forum as a functional commission of ECOSOC. However, we would have difficulty recommending that it be established at the Sub-Commission level because of the very limited scope and mandate that would be imposed by any parent commission.

17. The Grand Council of the Crees takes special note of the need to continue the mandate of the WGIP in the field of human rights, and that the consideration of a permanent forum for indigenous peoples should not affect the mandate of the WGIP.

18. The Grand Council of the Crees rejects as prejudicial to the stated objectives and priorities of the United Nations any objections to the establishment of a permanent forum for indigenous peoples that are premised on financial considerations, as we believe that the United Nations is fully capable of reorganizing its administration within existing constraints to meet this need within the Decade.

III. STATEMENT SUBMITTED BY THE SAAMI COUNCIL

A. The Secretary-General's review of the existing mechanisms, procedures and programmes within the United Nations concerning indigenous people

1. In its resolution 50/157 of 21 December 1995, the General Assembly recommended that the Secretary-General undertake a review of existing mechanisms, procedures and programmes within the United Nations concerning indigenous peoples. The underlying aim of this exercise was to examine whether we need a high-level United Nations forum for indigenous issues, or if existing United Nations mechanisms, procedures and programmes adequately address such issues.

2. The Saami Council welcomes the review of the Secretary-General contained in document A/51/493. We note with great satisfaction that the review was carried out in close consultation with not only Governments and United Nations agencies, but also indigenous peoples and indigenous organizations. The report provides a thorough and detailed analysis of the existing United Nations system and how the system deals with indigenous issues. It indicates that there is a great difference in the level and extent of indigenous-related activities among United Nations agencies and programmes.

3. The Secretary-General rightly states that there exists no mechanisms to ensure regular exchange of information and views between the concerned and interested parties - Governments, the United Nations system and indigenous peoples - on an ongoing basis. Moreover, there is only a minimum of cooperation between agencies on issues relevant to indigenous peoples. In fact, the report clarifies that only a few United Nations agencies focus on indigenous issues at all, e.g., ILO, UNESCO, WHO and the United Nations Centre for Human Rights. The Secretary-General's report also highlights the fact that there are no or few adequate procedures in place to accommodate the effective involvement and participation of indigenous peoples in the work of the United Nations and its agencies.

4. It is thus very clear to us that the existing United Nations system does not fulfil its obligations towards indigenous peoples and that it does not provide the necessary space for dialogue between Governments, United Nations agencies and indigenous peoples. Consequently, there is an urgent need for a United Nations forum for indigenous issues competent to deal with issues of concern to indigenous peoples in a way which respects the often interrelated and inseparable nature of indigenous issues. Thus, the Saami Council cannot see how the United Nations can fulfil its obligations towards indigenous peoples without establishing a political forum, with a mandate that embraces the full range of issues of concern to indigenous peoples as well as coordination of all United Nations activities relevant to the concerns of indigenous peoples. If we may so note, this has been our position for many years, and we are very happy to see that the Secretary-General is of the same opinion.

B. Definition of "indigenous peoples"

5. Some Governments - and happily they are very few - argue that a clear definition of the term "indigenous peoples" is required before a meaningful discussion about the establishment of a permanent forum can take place. They talk about "true" and "false" indigenous peoples, and say that Governments should retain the exclusive right to designate and judge who the "true" indigenous peoples are.

6. The Saami Council does not agree with this position. A definition cannot be a pre-requisite to the establishment of the permanent forum, because we do not see any reason why we indigenous peoples, among all peoples, alone need to be defined.

7. Most countries currently seeking to address indigenous issues tend to view definition within the context of their respective national constitutional and historical framework rather than as an issue of universal character. There is no general universal agreement on the definition of indigenous peoples. However, there are several working definitions and descriptions of indigenous peoples at the international level, such as in ILO Convention No. 169, the United Nations Study of the problem of discrimination against indigenous populations (the Martínez Cobo report), and the World Bank's Operational Directive on Indigenous Peoples. Even without a general universal definition it should be relatively easy to identify the indigenous peoples by using these criteria, which are adequate to determine whether a person or community is indigenous or not. Factors such as historical continuity, self-identification and group membership are cardinal criteria in this regard.

8. The Martínez Cobo report contains the following working definition of indigenous peoples:

> "Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identify, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems" (para. 379).

9. Furthermore, the Special Rapporteur expresses the view that such a historical continuity "may consist of the continuation, for an extended period reaching into the present, of one or more of the following factors: (a) occupation of ancestral lands, or at least of part of them; (b) common ancestry with the original occupants of these lands; (c) culture in general, or in specific manifestations ...; (d) language ...; (e) residence in certain parts of the country, or in certain regions of the world; (f) other relevant factors" (para. 380).

10. The Special Rapporteur also includes self-identification as indigenous as a fundamental element in his working definition: on an individual basis, an indigenous person is one who belongs to these indigenous peoples through self-identification as indigenous (group consciousness) and is recognized and accepted by the group as one of its members (acceptance by the group). This is also a fundamental criterion in the statement of coverage in ILO Convention No. 169, where it is said that self-identification as indigenous shall be regarded as a fundamental criterion for determining the groups to which the provisions of the Convention apply. This preserves for these communities the sovereign right and power to decide who is a member of their communities, both subjectively and objectively, without external interference.

11. In its Operational Directive 4.20, the World Bank states the view that no single definition can capture the diversity of indigenous peoples. However, the World Bank identifies certain characteristics which often apply to indigenous peoples:

> "(a) a close attachment to ancestral territories and to the natural resources in these areas;
>
> "(b) self-identification and identification by others as members of a distinct cultural group;
>
> "(c) an indigenous language, often different from the national language;
>
> "(d) presence of customary social and political institutions; and
>
> "(e) primarily subsistence-oriented production."

12. The Chairperson-Rapporteur of the United Nations Working Group on Indigenous Populations, Ms. Erica-Irene A. Daes, prepared a comprehensive working paper on the concept of "indigenous people" prior to the fourteenth session of the Working Group (E/CN.4/Sub.2/AC.4/1996/2 and Add.1). The Chairperson-Rapporteur of the Working Group stated her agreement with the World Bank that no single definition could capture the diversity of indigenous peoples worldwide.

13. The draft United Nations declaration on the rights of indigenous peoples, as agreed upon by the members of the Working Group on Indigenous Populations and adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, does not contain a definition of "indigenous peoples". During the sessions of the Working Group, representatives of indigenous peoples and many Governments expressed the view that a definition of the concept of "indigenous peoples" is not necessary at the international level, although such definitions may be necessary and advisable at the national level. In addition, indigenous peoples have challenged the need for a universal definition of the concept of "indigenous peoples", considering the fact that "peoples" in general are not defined in international law. In addition, there is also a concern that a definition aiming to be universally applicable may serve to exclude certain indigenous peoples and be used for this purpose.

14. The Saami Council is of the opinion that the future debate on the definition of indigenous peoples should take place in the permanent forum itself, if at all, and that a definition of "indigenous peoples" can therefore not be a prerequisite to the establishment of the forum.

C. United Nations body to which the permanent forum should report

15. The Saami Council is of the opinion that the permanent forum should be established as a subsidiary body of the Economic and Social Council (ECOSOC), and with a mandate that embraces the full range of issues under ECOSOC's mandate.

16. Article 68 of the Charter of the United Nations provides the necessary legislative foundation for such an establishment: that ECOSOC shall set up commissions in economic and social fields and for the promotion of human rights, and any other commissions as may be required for the performance of its functions. The Charter does not specify the composition or functions of any of the commissions envisaged in Article 68. However, the Saami Council's understanding of the intention of the Charter is that a special commission on indigenous issues is required to enable ECOSOC to perform functions relating to indigenous peoples and to thereby fulfil its obligations under the Charter of the United Nations.

17. ECOSOC has four types of subsidiary bodies: (a) functional commissions; (b) standing committees; (c) regional commissions; (d) expert bodies. Those bodies are either intergovernmental or expert bodies. Only functional commissions will be further discussed in this paper.

18. ECOSOC has nine functional commissions, the most well known for indigenous peoples being the Commission on Human Rights and Commission on Sustainable Development, as well as others such as the Commission for Social Development and the Commission on the Status of Women. The different functional commissions are inter-governmental bodies. This means that only Governments are members and have the right to vote in those bodies. United Nations agencies and non-governmental organizations in consultative status can participate as observers, without having the right to vote.

19. A possible solution could be to establish a general functional commission on indigenous issues. However, this would only be acceptable to indigenous peoples if they are given the same status as Governments. This means that both Governments and indigenous peoples should be members of the commission with the right to vote. The specialized agencies and indigenous and non-indigenous non-governmental organizations should be given the right to participate as observers. Individual experts, indigenous and non-indigenous persons with special competence, should also have the right to participate in any future subsidiary thematic bodies of the permanent forum.

D. Mandate and terms of reference

20. The overall goal of the permanent forum should be to promote peace and prosperity in accordance with the Charter of the United Nations, by developing friendly relations among nations and peoples based on respect for the

principle of equal rights. The overall activities of the forum should focus on prevention of conflicts and promotion of understanding among peoples, peace and prosperity in accordance with the Charter of the United Nations.

21. It should be a forum for dialogue between Governments, indigenous peoples and United Nations bodies on issues affecting indigenous peoples. Thus, it should be a political forum where Governments and indigenous peoples meet as equal partners to discuss all issues affecting indigenous peoples. It is crucial that the forum be given a mandate which makes it strong and effective, and therefore it should be capable of taking decisions and action to protect the rights of indigenous peoples in addition to providing a permanent mechanism within the United Nations for effective monitoring of the situation of the indigenous peoples. In other words, the permanent forum should stimulate the ongoing dialogue between indigenous peoples and Governments, as well as be an effective mechanism for securing indigenous rights.

22. The mandate of the permanent forum should enable it to deal effectively with the full range of issues covered by ECOSOC's mandate which are of concern to indigenous peoples. The forum should also have the potential to facilitate other United Nations bodies and specialized agencies in devising coherent and coordinated policies and programmes for the benefit of indigenous peoples which incorporate the indigenous view in their conceptualization and implementation.

23. The permanent forum should submit proposals, recommendations and reports to ECOSOC regarding indigenous issues. It should be authorized to call in ad hoc working groups in specialized fields or individual experts, with the approval of the President of the Council and the Secretary-General, if and when required.

24. The indigenous peoples' statement of mission of a permanent forum, made at the Copenhagen workshop, identifies a wide range of possible operational activities for the permanent forum. It was stated that the permanent forum should: (a) be able to make clear decisions and intervene effectively on an urgent basis on behalf of indigenous peoples throughout the world; (b) be involved in and coordinate action for the resolution of conflicts affecting indigenous peoples in any way; (c) oversee the implementation and monitor the effectiveness of international and regional instruments and programmes affecting indigenous peoples; (d) monitor and advise on the implementation and effectiveness of actions of United Nations bodies and Member States in relation to indigenous peoples; (e) provide indigenous peoples with a high-level and public forum so that they can participate in decisions and consider a wide range of matters affecting them in the areas of development, the environment, culture, education, economics, social issues, intellectual property and trade, with particular emphasis on traditional and innovative systems; (f) eliminate racism and discrimination against indigenous peoples; (g) promote and advance world acceptance and understanding of all peoples.

E. Membership

25. The Saami Council is of the opinion that indigenous peoples and Governments should be the members of the permanent forum. This means that Governments and indigenous peoples should have equal positions in the permanent forum, for example indigenous peoples should also have the right to vote in this new body. If the permanent forum is established as an inter-governmental body of Member States only, it would lack the necessary legitimacy and credibility.

26. The core group (group of members) of the permanent forum should be composed of an equal number of representatives of Governments and indigenous peoples based on the principle of geographical balance. The forum should have between 10 and 25 members, elected for a period of three to four years. Indigenous peoples, represented by their traditional or contemporary political entities, should be eligible for membership in the permanent forum.

27. However, indigenous peoples and Member States which are not members of the permanent forum should be invited to participate, without vote, in the deliberations of any matters of particular concern to them. The permanent forum should also make arrangements for representatives of the specialized agencies to participate, without vote. Moreover, non-governmental organizations, indigenous as well as non-indigenous, should also be invited to participate as observers without the right to vote. Independent experts, indigenous as well as non-indigenous, could serve the permanent forum as its special rapporteurs when required or as members of its subsidiary bodies dealing with thematic or technical issues.

F. Indigenous participation

28. There should be two categories of participation: (a) participation as member, and (b) participation as observer. Indigenous peoples, represented by their traditional or contemporary political entities, should either participate as members with the right to vote or as observers when they are not serving as members. Indigenous non-governmental organizations should have the right to participate as observers only. Individual indigenous experts often possess in-depth knowledge about complex indigenous issues, and they should therefore be invited to contribute to the work of the forum in appropriate ways, e.g., as special rapporteurs or members of expert groups.

29. It is extremely important to establish a clear distinction between the participation of "indigenous peoples and nations" and "indigenous non-governmental organizations". Such distinction should be reflected in the structure of the permanent forum. For example, in our case (meaning the Saami participation), our publicly elected Saami Parliaments in Finland, Norway and Sweden should be eligible for membership in the permanent forum, while the Saami Council as an organization should be an observer only.

G. Relationship with the Working Group on Indigenous Populations

30. The Working Group on Indigenous Populations is open to indigenous participation regardless of consultative status with ECOSOC. In this way the Working Group is unlike all other United Nations bodies, in which normally

only NGOs in consultative status are allowed to participate. The possibility of indigenous participation regardless of ECOSOC status is very important, specially since at present only 15 indigenous organizations have the necessary consultative status.

31. Despite being at the lowest possible level within the United Nations system and reporting to the Sub-Commission only, the Working Group on Indigenous Populations has over the years considered a number of important issues. These include standard-setting activities, review of developments, special studies on indigenous issues, and a number of other issues.

32. The work of the Working Group is important for the promotion and protection of indigenous rights, and it should therefore continue to do its work. Until the permanent forum is established, the Working Group should continue as it has done since its establishment in 1982. Depending on the establishment of the permanent forum and its mandate, the terms of reference of the Working Group may need to be reviewed in the future. However, it should be clear that the permanent forum should not replace the Working Group on Indigenous Populations; it should be an additional entity established at a higher level within the United Nations system.

IV. DECLARATION OF THE FIRST INTERNATIONAL INDIGENOUS CONFERENCE ON A PERMANENT FORUM IN THE UNITED NATIONS SYSTEM, TEMUCO, CHILE, 6-9 MAY 1997

We, the indigenous peoples meeting in Temuco, reaffirm the principles and objectives of Article 1.2 of the Charter of the United Nations: to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace,

Bearing in mind the recommendations pertaining to indigenous people included in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights (A/CONF.157/23), concerning the establishment of a permanent forum for indigenous people in the United Nations system,

Recalling also the recommendations of the United Nations Conference on Environment and Development as stated in article 22 of the Rio Declaration on Environment and Development and chapters 11 and 26 of Agenda 21 concerning indigenous people,

Further recalling General Assembly resolution 50/157 in which the establishment of a permanent forum for indigenous people in the United Nations system is pinpointed as one of the major objectives of the International Decade of the World's Indigenous People along with the adoption of a United Nations declaration on the rights of indigenous peoples,

Welcoming the Secretary-General's review of the existing mechanisms, procedures and programmes within the United Nations concerning indigenous peoples (A/51/493),

Considering the Secretary-General's conclusions in which he states that there are no mechanisms in the United Nations organizations which give the indigenous peoples an opportunity to take part in decision-making, nor any regular exchange of information among Governments, indigenous peoples and the United Nations system,

We, the indigenous peoples, declare that:

1. In accordance with the principle of dialogue between Governments and peoples we call for the rapid establishment of the permanent forum at the highest possible level;

2. The indigenous peoples have the right to full and effective participation in the permanent forum on an equal footing with Governments. It is also important that United Nations agencies, non-governmental organizations and independent experts should have the opportunity to take part in the discussions of the permanent forum when the parties so require;

3. The mandate of the permanent forum should be sufficiently broad and cover all areas which concern the indigenous peoples of the world, including cultural, civil, political, social and economic rights, health, women, children, development, education, the environment, territories, human rights, the resolution of conflicts and the coordination of activities with the United Nations agencies in which the indigenous peoples are involved.

- - - - -